

EXHIBIT 1

Part B: Response to Request for Administrative Remedy

FCI Seagoville, Texas

Springer, Lindsey
Register No.: 02580-063
Remedy No.: 962199-F1

This is in response to your Request for Administrative Remedy receipted December 11, 2018, wherein you allege that: You were exposed to friable and non-friable cancer causing Asbestos and strong mold between on or about January 29, 2018 through on or about October 11, 2018 at your place of work, the outside warehouse. Staff were indifferent to your serious safety and medical needs to be provided oxygen-air-free from cancer causing asbestos and mold. Staff failed to protect you from exposure to cancer causing asbestos and mold. You were subjected to cruel and unusual punishment in violation of the eighth amendment of the Constitution of the United States.

Research into your request reveals that upon notification of concerns of possible hazardous materials in the outside Warehouse, FCI Seagoville has conducted the following: To ensure that OSHA standards were being followed, bulk material samples were taken in the Warehouse storage areas 1&2 by two independent licensed contractors on 10/10/2018 and 10/18/2018. The results of both bulk material samples read positive for Asbestos Containing Materials (ACM) in the mastic that adheres to the ceilings of the storage areas. Although present, the Asbestos was determined to be non-friable. As a result, both areas with ACM were sealed and labeled according to OSHA standards.

On 10/18/2018 and 10/22/2018 air samples were taken by two independent licensed contractors and the laboratory results for both air samples read negative for airborne asbestos.

The Occupational Safety and Health Administration has quantified an Asbestos Exposure to be as follows:

1910.1001(c)
Permissible exposure limit (PELS) --
1910.1001(c) (1)
Time-weighted average limit (TWA). The employer shall ensure that no employee is exposed to an airborne concentration of asbestos in excess of 0.1 fiber per cubic centimeter of air as an eight (8)-hour time-weighted average (TWA) as determined by the method prescribed in Appendix A to this section, or by an equivalent method.

1910.1001(c) (2)

Excursion limit. The employer shall ensure that no employee is exposed to an airborne concentration of asbestos in excess of 1.0 fiber per cubic centimeter of air (1 f/cc) as averaged over a sampling period of thirty (30) minutes as determined by the method prescribed in Appendix A to this section, or by an equivalent method.

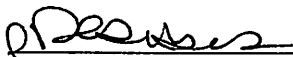
Due to the results of the two air samples taken and analyzed by two independent contractors, it can be determined that that no exposure has taken place.

Remediation by an independent licensed contractor of both areas with ACM is going to commence as soon as possible. The areas with ACM will remain sealed until the contractor begins the remediation process.

FCI Seagoville makes every effort to ensure a safe work environment for both staff and inmates.

Based on the above facts/information/reasons, the relief you seek is denied.

If you are not satisfied with this response, you may appeal to the South Central Regional Director, 344 Marine Forces Drive, Grand Prairie, Texas 75051, via BP-DIR-10, within 20 calendar days of the date of this response.


M. Underwood, Warden

12/24/14
Date

EXHIBIT 2

Regional Administrative Remedy Appeal No. 962199-R2
Part B - Response

This is in response to your Regional Administrative Remedy Appeal receipted January 14, 2019. You claim you were exposed to asbestos while working in the institution warehouse at FCI Seagoville.

A review of this matter reveals that sampling of the material in the storage rooms at the warehouse was conducted and found the black mastic to be composed of 5% Chrysotile. The mastic itself is considered to be non-friable and due to its composition, the only way for such material to become airborne would be by using an aggressive method such as grinding, drilling, or sanding. None of these methods was used on the mastic itself. Regardless, in order to determine if it was airborne, air sampling was also conducted and the results were negative. Sampling was conducted by two independent contractors and both returned with the same results. The areas have been sealed and will remain sealed until the remediation process is complete.

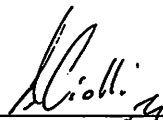
A review of the sampling documentation and speaking with FCI Seagoville staff indicates that proper procedures have been followed.

This response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Federal Bureau of Prisons, Office of General Counsel, 320 First Street, N.W., Washington, D.C. 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

FEB 22 2019

Date


am J. F. Caraway
Regional Director